

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have to-day filed favorable reports on bills as follows:

Judiciary: House bills Nos. 27, 28, 30, 31, 32, 33.

Appropriations: Senate bill No. 1.

## FIFTH DAY.

(Monday, January 17, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Holland.
Albritton.	Hornaday.
Alexander.	Johnson.
Anderson.	Jones.
Avis.	Justice.
Barnett.	Kemble.
Bass.	Kennedy.
Beck.	Kincaid.
Bird.	King of Hopkins.
Black.	King of
Boggs.	Throckmorton.
Bonham.	Kinnear.
Boon.	Kirby.
Branch.	Kirkland.
Brown.	Kittrell.
Conway.	Land.
Cornwell.	Lipscomb.
Cox.	Loftin.
Dale.	Long.
Daniel.	Loy.
Davis.	Masterson.
DeBerry.	McCombs.
Denman.	McGill.
Dielmann.	McKean.
Dunlap.	Merritt.
Durham.	Minor.
Duval.	Montgomery.
Enderby.	Moore.
Eickenroht.	Morse.
Faulk.	Murphy.
Fly.	Nabors.
Forbes.	Nicholson.
Fuchs.	Olsen.
Gates.	Parish
Gibson.	of Runnels.
Gilbert.	Parrish of Travis.
Graves.	Pavlica.
Gray.	Pearce.
Hagaman.	Petsch.
Hall.	Poage.
Harding.	Pope.
Harman.	Porter.
Hefley.	Powell.
High.	Purl.

Ramsey.	Swain.
Reagan.	Taylor.
Renfro.	Teer.
of Angelina.	Tillotson.
Renfro of Mills.	Turner.
Rogers of Hays.	Van Zandt.
Rogers of Shelby.	Veatch.
Rowell.	Waddell.
Runge.	Walker.
Sanders.	Wallace
Satterwhite.	of Freestone.
Shaver.	Wallace of Panola.
Shearer.	Wallace of Smith.
Sheats.	Ware.
Shirley.	Wassell.
Simmons.	Webb.
Sinks.	Wells.
Smith of El Paso.	Whitaker.
Smith of Nueces.	Williams
Smith of Smith.	of Sabine.
Smyth.	Williams
Snelgrove.	of Travis.
Stell.	Williamson.
Stevenson.	Woodall.
Storey.	Woodruff.
Stout.	Young.
Sutton.	

Absent—Excused.

Barron.	Kayton.
Bateman.	Kenyon.
Cummings.	Moursund.
Farrar.	Pool.
Finlay.	Rawlins.
Foster.	Smith
Holder.	of Atascosa.
Jacks.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Pool for today, on motion of Mr. McGill.

Mr. Bonham for last Saturday, on motion of Mr. McGill.

Mr. Foster for today and tomorrow, on motion of Mr. Kemble.

Mr. Dielmann, Mr. Moursund and Mr. Kayton for today, on motion of Mr. Williamson.

Mr. Rawlins for today and tomorrow, on motion of Mr. McCombs.

Mr. Barron for today and tomorrow, on motion of Mr. Stout.

Mr. Kenyon for today, on motion of Mr. Shearer.

Mr. Smith of Atascosa for today, on motion of Mr. Shearer.

Mr. Finlay for today, on motion of Mr. Renfro.

Mr. Cummings for today, on motion of Mr. Brown.

Mr. Bateman for today, on motion of Mr. Dale.

Mr. Merritt for today, on motion of Mr. Hall.

Mr. Holder for today, on motion of Mr. Cox.

Mr. Jacks for today, on motion of Mr. Dunlap.

Mr. Farrar was granted leave of absence for today and tomorrow, on motion of Mr. Stout, on account of death in his family.

#### EMPLOYES OF THE HOUSE.

The Speaker announced the appointment of the following stenographers:

Mrs. Catherine Fogel and Mrs. Frances Ethel Henderson.

#### COMMUNICATION FROM MR. JOHN V. FARWELL.

The Speaker laid before the House, and had read, the following communication:

Chicago, Ill., January 5, 1927.

Hon. R. P. Smyth, Plainview, Texas.

Dear Sir: I was very much touched last week by the letter, dated February 3, 1925, received by me from Col. R. D. Bowen, who was commissioned to deliver it, and signed by members of the Texas Legislature, in regard to the erection of the Capitol Building by my father and uncle, John V. Farwell and Charles B. Farwell.

It is a splendid tribute to the character of the work they did and to their character as men, which their descendants will always cherish in grateful remembrance.

Speaking for all the family, I know we have all been proud to have had something to do with the development of the Panhandle of the great Lone Star State, where producing farms have now taken the place of the wild land of the buffalo and the Indians, which we received.

If our handling of his great tract has helped to form a strong bond of friendship between the inhabitants of Texas and those of all the States in our neighborhood, we shall be glad to have had some part in bringing this about.

With renewed appreciation of the kind letter you have sent, and regretting the delay in replying, which was occasioned,

I understand, by Col. Bowen's illness, I am, with great respect,

Yours very truly,

JOHN V. FARWELL.

#### STANDING COMMITTEES APPOINTED.

The Speaker announced the appointment of the following standing committees of the House:

##### Committee on State Affairs.

Messrs. Wallace of Freestone, Chairman; Fly, Vice-Chairman; Dale, Denman, Finlay, Gates, Justice, Kemble, Kenyon, King of Throckmorton, Land, Loy, Montgomery, Moursund, Morse, Reagan, Smith of Smith, Smith of El Paso, Smyth, Sutton, Stout.

##### Committee on Revenue and Taxation.

Messrs. Young, Chairman; Tillotson, Vice-Chairman; Dale, DeBerry, Gilbert, Harman, Hefley, Kayton, Kemble, Kirby, Murphy, McKean, Rawlins, Satterwhite, Sinks, Smith of El Paso, Stevenson, Wallace of Panola, Wallace of Freestone, Ware, Williams of Travis.

##### Committee on Privileges, Suffrage and Elections.

Messrs. Durham, Chairman; Renfro of Mills, Vice-Chairman; Anderson, Barnett, Bateman, Boggs, Bonham, Duvall, Faulk, Gray, Graves, Kittrell, Jacks, Lipscomb, Long, McKean, Poage, Rawlins, Van Zandt, Waddell, Wassell.

##### Committee on Penitentiaries.

Messrs. Satterwhite, Chairman; McCombs, Vice-Chairman; Farrar, Fly, King of Throckmorton, Kirby, McGill, Parrish of Travis, Powell, Smith of Smith, Cummings, Conway, Teer, Veatch, Walker, Wallace of Freestone, Foster, Webb, Williamson, Wells, Young.

##### Committee on Oil, Gas and Mining.

Messrs. Storey, Chairman; Johnson, Vice-Chairman; Avis, Beck, Bonham, Cornwell, Dunlap, Gray, Gilbert, Hefley, Kemble, Loftin, Morse, Nicholson, Renfro of Mills, Stevenson, Walker, Wallace of Panola, Williamson, Woodall, Williams of Sabine.

##### Committee on Live Stock and Stock Raising.

Messrs. Stevenson, Chairman; Smith of Atascosa, Vice-Chairman; Avis, Black,

Dunlap, Durham, Foster, Fuchs, Gates, Kincaid, Long, McKean, Merritt, Pavlica, Powell, Ramsey, Renfro of Angelina, Rogers of Hays, Runge, Shirley, Williams of Sabine.

#### Committee on Liquor Traffic.

Messrs. Rogers of Shelby, Chairman; Forbes, Vice-Chairman; Anderson, Boggs, Branch, Cornwell, Enderby, Gates, Hall, Harding, High, Kennedy, King of Hopkins, Merritt, Moore, Parish of Runnels, Pope, Simmons, Stell, Wallace of Smith, Williams of Sabine.

#### Committee on Labor.

Messrs. Dielmann, Chairman; Sanders, Vice-Chairman; Albritton, Anderson, Bateman, Loy, Boggs, Boon, Gibson, Kenyon, Kittrell, Porter, Ramsey, Nicholson, Olsen, Pool, Porter, Ramsey, Snelgrove, Wallace of Smith, Woodall.

#### Committee on Highways and Motor Traffic.

Messrs. Williamson, Chairman; Foster, Vice-Chairman; Branch, Beck, Fly, Harman, Hornaday, McCombs, Morse, Murphy, Petsch, Pool, Pope, Sanders, Smyth, Sutton, Swain, Tillotson, Ware, Wallace of Freestone, Wallace of Pannola.

#### Committee on Public Health.

Messrs. Shearer, Chairman; Kincaid, Vice-Chairman; Albritton, Conway, Davis, Dunlap, Duvall, Durham, Faulk, Finlay, Graves, High, Parish of Runnels, Pearce, Rawlins, Renfro of Angelina, Renfro of Mills, Rogers of Shelby, Wallace of Smith, Wells, Williams of Travis.

#### Committee on Municipal and Private Corporations.

Messrs. Cummings, Chairman; Kayton, Vice-Chairman; Avis, Brown, Cox, Poage, Harding, Holland, Jacks, Jones, Johnson, Kittrell, Kinnear, Nabors, Nicholson, Pool, Sheats, Storey, Taylor, Whitaker, Woodruff.

#### Committee on Insurance.

Messrs. Kemble, Chairman; Purl, Vice-Chairman; Brown, Barron, Bass, Bird, Holder, Johnson, Denman, Moursund, Pool, Pope, Porter, Renfro of Angelina, Shaver, Shearer, Stevenson, Smith of Atascosa, Teer, Taylor, Loy.

#### Committee on Judicial Districts.

Messrs. King of Throckmorton, Chairman; Simmons, Vice-Chairman; Gray, Holland, King of Hopkins, Land, Masterson, Sheats, Smith of Atascosa, Satterwhite, Williams of Sabine.

#### Committee on Examination of Comptroller's and Treasurer's Accounts.

Messrs. Kinnear, Chairman; Harding, Vice-Chairman; Forbes, Gibson, Graves, Holder, Kennedy, King of Hopkins, Kirkland, Olsen, Poage.

#### Committee on Education.

Messrs. Brown, Chairman; Hornaday, Vice-Chairman; Branch, Conway, Cummings, Daniel, Dielmann, Durham, Duvall, Farrar, Fly, Gilbert, Hall, Holder, Kinnear, McGill, Minor, Powell, Shaver, Smith of Nueces, Young.

#### Committee on State Eleemosynary and Reformatory Institutions.

Messrs. Woodruff, Chairman; Sheats, Vice-Chairman; Acker, Bass, Barnett, Bird, Black, Boon, Cox, Davis, Enderby, Faulk, Finlay, Forbes, Fuchs, Gates, Hall, Kinnear, Ramsey, Reagan, Renfro of Angelina.

#### Committee on Engrossed Bills.

Messrs. Taylor, Chairman; Whitaker, Vice-Chairman; Barnett, Bass, Merritt.

#### Committee on Claims and Accounts.

Messrs. Stout, Chairman; Enderby, Vice-Chairman; Bass, Boon, Cox, Dale, Jones, Minor, Shaver, Simmons, Smith of Smith.

#### Committee on Constitutional Amendments.

Messrs. Kittrell, Chairman; Loftin, Vice-Chairman; Acker, Anderson, Bass, Bird, Boon, Boggs, Brown, Cummings, Denman, Harman, High, Kennedy, Lipscomb, McCombs, Moore, Renfro of Mills, Runge, Van Zandt, Wassell.

#### Committee on Criminal Jurisprudence.

Messrs. Petsch, Chairman; Powell, Vice-Chairman; Acker, Dielmann, Denman, Farrar, Holland, Johnson, Jones, Justice, Kenyon, Lipscomb, Masterson, Murphy, Nabors, Reagan, Sanders, Sinks, Smith of El Paso, Storey, Stout.

## Committee on Appropriations.

Messrs. Teer, Chairman; Wallace of Freestone, Vice-Chairman; Barron, Cox, Dielmann, Hefley, Hall, Holder, Hornaday, Kemble, Kirby, Minor, Montgomery, Parrish of Travis, Petsch, Pool, Powell, Hagaman, Satterwhite, Shaver, Young.

## Committee on Agriculture.

Messrs. Veatch, Chairman; Webb, Vice-Chairman; Albritton, Black, Conway, Durham, Enderby, Fuchs, Kirkland, Kirby, Merritt, McKean, Pavlica, Pearce, Parrish of Travis, Rogers of Hays, Shirley, Stell, Snelgrove, Tillotson, Ware, Forbes.

## Committee on Conservation and Reclamation.

Messrs. Montgomery, Chairman; Lipscomb, Vice-Chairman; Daniel, Foster, Hagaman, Hornaday, Jacks, Kirby, Moursund, Murphy, Parish of Runnels, Reagan, Shearer, Smith of El Paso, Smyth, Stell, Swain, Tillotson, Webb, Whitaker, Woodruff.

## Committee on Commerce and Manufactures.

Messrs. Hagaman, Chairman; Farrar, Vice-Chairman; Bateman, Loy, Kennedy, Kirkland, Moore, Nabors, Purl, Rogers of Hays, Williams of Travis.

## Committee on Counties.

Messrs. Avis, Chairman; Albritton, Vice-Chairman; Black, Gray, Kincaid, King of Hopkins, Merritt, Stell, Rogers of Hays, Sheats, Shirley.

## Committee on Common Carriers.

Messrs. Masterson, Chairman; Rowell, Vice-Chairman; Alexander, Beck, Bird, Bonham, Turner, Hagaman, Jacks, Kinneer, Holland, McGill, Purl, Webb, Runge, Smith of Nueces, Sheats, Teer, Wassell, Waddell, Williamson.

The Speaker announced the appointment of an additional member on the Judiciary Committee: Mr. Wassell.

## COUNTING THE VOTES CAST FOR GOVERNOR AND LIEUTENANT GOVERNOR.

(In Joint Session.)

At the hour of 10:30 o'clock a. m., fixed by concurrent action of the two houses for the Senate and House of Representatives to meet in joint session for the purpose of counting the votes for

Governor and Lieutenant Governor, cast at the general election held on Tuesday, the 2nd day of November, A. D. 1926, the Honorable Senate were announced at the bar of the House and, by direction of the Speaker, were admitted.

Escorted by the Secretary of the Senate, W. V. Howerton, the Sergeant-at-Arms of the Senate, A. W. Holt, and the Journal Clerk of the Senate, John Cofer, the Senators advanced into the Hall, and by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

Lieutenant Governor Barry Miller, by invitation of the Speaker, occupied a seat on the Speaker's stand.

Lieutenant Governor Barry Miller then directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called and the following Senators answered to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Wood.
Neal.	Woodward.

Absent.

Lewis.

Lieutenant Governor Barry Miller announced a quorum of the Senate present.

The Speaker then directed the Clerk to call the roll of the House.

The roll of the House was called, and the following members answered to their names:

Acker.	Brown.
Albritton.	Conway.
Alexander.	Cornwell.
Anderson.	Cox.
Avis.	Dale.
Barnett.	Daniel.
Bass.	Davis.
Beck.	DeBerry.
Bird.	Denman.
Black.	Dunlap.
Boggs.	Durham.
Bonham.	Duvall.
Boon.	Enderby.
Branch.	Eickenroht.

Faulk.	Powell.
Fly.	Purl.
Forbes.	Ramsey.
Fuchs.	Reagan.
Gates.	Renfro
Gibson.	of Angelina
Gilbert.	Renfro of Mills.
Graves.	Rogers of Hays.
Gray.	Rogers of Shelby.
Hagaman.	Rowell.
Hall.	Runge.
Harding.	Sanders.
Harman.	Satterwhite.
Hefley.	Shaver.
High.	Shearer.
Holland.	Sheats.
Hornaday.	Shirley.
Johnson.	Simmons.
Jones.	Sinks.
Justice.	Smith of El Paso.
Kemble.	Smith of Nueces.
Kennedy.	Smith of Smith.
Kincaid.	Smyth.
King of Hopkins.	Snelgrove.
King of	Stell.
Throckmorton.	Stevenson.
Kinnear.	Storey.
Kirby.	Stout.
Kirkland.	Sutton.
Kittrell.	Swain.
Land.	Taylor.
Lipscomb.	Teer.
Loftin.	Tillotson.
Long.	Turner.
Loy.	Van Zandt.
Masterson.	Veatch.
McCombs.	Waddell.
McGill.	Walker.
McKean.	Wallace
Minor.	of Freestone.
Montgomery.	Wallace of Panola.
Moore.	Wallace of Smith.
Morse.	Ware.
Murphy.	Wassell.
Nabors.	Webb.
Nicholson.	Wells.
Olsen.	Whitaker.
Parish	Williams
of Runnels.	of Sabine.
Parrish of Travis.	Williams
Pavlica.	of Travis.
Pearce.	Williamson.
Petsch.	Woodall.
Poage.	Woodruff.
Pope.	Young.
Porter.	

Absent—Excused.

Barron.

Bateman.

Cummings.	Kenyon.
Dielmann.	Merritt.
Farrar.	Moursund.
Finlay.	Pool.
Foster.	Rawlins.
Holder.	Smith
Jacks.	of Atascosa.
Kayton.	

The Speaker announced a quorum of the House present.

Lieutenant Governor Barry Miller and the Speaker of the House then stated that the two houses were in joint session for the purpose of counting the votes for Governor and Lieutenant Governor cast at the last general election.

The Lieutenant Governor announced the appointment of the following tellers on the part of the Senate:

Senators Westbrook, Wood, Wirtz, Price and Lewis.

The Speaker announced the appointment of the following tellers on the part of the House:

Messrs. Petsch, chairman; Parrish of Travis, Stout, Shaver and Satterwhite.

The joint tellers were announced present and they at once came forward and occupied the seats at a table already prepared for them.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election for Governor and Lieutenant Governor, which returns had been duly delivered by the Secretary of State to the Speaker of the House of Representatives of the Fortieth Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant Governor at the last general election.

When the count was completed the Lieutenant Governor and the Speaker of the House announced to the joint session that the joint tellers had completed the count of the votes and that the joint session is now ready to receive the results and to have the report of the joint tellers.

Senator Westbrook, on the part of the Senate, and Mr. Petsch, on the part of the House, submitted the following report:

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1926, FOR  
GOVERNOR AND LIEUTENANT GOVERNOR.

County	Governor			Lieutenant Governor		
	Dan Moody	H. H. Haines	M. A. Smith	Barry Miller	W. H. Holmes	L. L. Rhodes
Anderson	1,447	82	5	1,472	61	5
Andrews	*	*	*	*	*	*
Angelina	1,271	207	2	1,385	109	2
Aransas	*	*	*	*	*	*
Archer	416	37		437	16	
Armstrong	236	8		218	18	
Atascosa	635	68		583	46	
Austin	819	337	3	1,009	167	3
Bailey	239	12	2	231	9	1
Bandera	669	181	9	654	179	10
Bastrop	773	65		781	50	
Baylor	424	15	6	430	8	6
Bee	1,281	1,025	14	1,250	990	12
Bell	2,220	97	6	2,251	58	6
Bexar	10,386	2,531	38	10,825	2,082	44
Blanco	596	368	2	658	222	4
Borden	53			52		
Bosque	839	110	1	860	90	1
Bowie	1,288	179	11	1,320	179	11
Brazoria	784	310	3	798	290	3
Brazos	777	27	2	776	25	1
Brewster	389	35		401	19	
Briscoe	187	8	3	189	6	2
Brooks	111	6		111	6	
Brown	1,044	80	4	1,066	57	2
Burleson	618	38		622	38	
Burnet	534	59		537	47	
Caldwell	877	31		884	18	
Calhoun	310	29	1	316	23	
Callahan	506	40	3	515	24	4
Cameron	1,632	268		1,530	259	
Camp	485	31		459	31	
Carson	213	52		213	52	
Cass	789	72	1	808	64	1
Castro	*	*	*	*	*	*
Chambers	158	22		161	19	
Cherokee	1,551	127	4	1,566	108	4
Childress	463	24	4	456	23	3
Clay	787	121	3	835	80	3
Cochran	288	8	1	295	6	1
Coke	252	29	3	277	22	3
Coleman	1,065	64	14	1,080	50	13
Collin	3,400	757	9	3,511	645	8
Collingsworth	353	108		357	78	
Colorado	519	199	1	753	151	2
Comal	820	667	11	994	475	2
Comanche	1,107	174	5	1,320	45	5
Concho	362	28		359	22	
Cooke	1,963	239	4	2,056	152	4
Coryell	967	73		970	52	
Cottle	270	15		272	14	
Crane	*	*	*	*	*	*
Crockett	75	1		74	3	
Crosby	450	11	2	450	10	2
Culberson	78	2		77	2	
Dallam	302	33	4	297	34	4
Dallas	25,659	1,523	52	25,682	1,413	67
Dawson	508	37	1	527	22	
Deaf Smith	574	127		565	131	
Delta	814	30		818	26	1
Denton	2,446	121	6	2,486	94	6
DeWitt	706	427	1	814	307	1
Dickens	*	*	*	*	*	*
Dimmit	131	26		130	27	
Donley	499	23	3	489	27	3
Duval	906	18		905	18	
Eastland	1,594	191	3	1,601	162	3
Ector	76	3		75	3	
Edwards	418	88	4	418	89	4
Ellis	2,409	115	3	2,418	108	5
El Paso	4,476	623	15	4,425	615	17
Erath	1,260	226	9	1,349	154	4
Falls	1,051	65		1,081	42	
Fannin	2,344	176	3	2,343	165	3

\*No returns.

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1926, FOR  
GOVERNOR AND LIEUTENANT GOVERNOR.

County	Governor			Lieutenant Governor		
	Dan Moody	H. H. Haines	M. A. Smith	Barry Miller	W. H. Holmes	L. L. Rhodes
Fayette.....	1,645	652	2	1,964	355	2
Fisher.....	586	24	7	591	12	11
Floyd.....	460	24	1	465	22	1
Foard.....	334	25	2	318	19	2
Fort Bend.....	458	57	1	483	32	1
Franklin.....	483	56	1	408	34	1
Freestone.....	*	*	*	*	*	*
Frio.....	625	17	3	627	11	3
Gaines.....	194	12	3	196	11	3
Galveston.....	1,933	259	6	1,961	241	5
Garza.....	411	77	4	435	50	4
Gillespie.....	718	1,334	10	762	1,284	10
Glasscock.....	74	3		77		1
Goliad.....	509	421	5	514	421	8
Gonzales.....	982	210	1	1,046	156	1
Gray.....	235	39		228	40	
Grayson.....	3,579	677	15	3,606	606	15
Gregg.....	543	39	1	543	37	1
Grimes.....	715	41		716	41	
Guadalupe.....	1,334	1,838	29	1,373	1,729	29
Hale.....	569	76	1	587	69	1
Hall.....	587	35	2	587	30	2
Hamilton.....	676	96	210	683	86	210
Hansford.....	87	6		87	6	
Hardeman.....	1,715	45		1,764	45	
Hardin.....	502	35		506	28	1
Harris.....	6,776	906	20	6,872	762	19
Harrison.....	872	30		879	30	
Hartley.....	108	9		108	7	
Haskell.....	871	54	5	873	43	5
Hays.....	882	31		883	25	
Hemphill.....	133	29		133	34	
Henderson.....	1,276	170	7			
Hidalgo.....	4,298	1,747	9	4,270	1,799	8
Hill.....	2,192	99	1	2,518	86	1
Hockley.....	255	13	3	258	13	2
Hood.....	434	46		434	39	
Hopkins.....	1,514	115	6	1,521	109	6
Houston.....	1,056	68	2	1,091	38	2
Howard.....	463	9	4	463	6	3
Hudspeth.....	198	1	1	196	1	1
Hunt.....	3,448	142	8	3,448	132	8
Hutchinson.....	293	27		290	29	
Irion.....	108	7	1	111	4	1
Jack.....	522	76	2	525	68	14
Jackson.....	272	48	1	277	47	1
Jasper.....	637	36		642	32	
Jeff Davis.....	102	8		105	5	
Jefferson.....	1,541	140	1	1,539	124	1
Jim Hogg.....	88	6		86	6	
Jim Wells.....	272	27		292	30	
Johnson.....	1,806	109	3	1,806	60	4
Jones.....	937	64	4	941	54	4
Karnes.....	802	129	4	865	75	1
Kaufman.....	1,844	163	1	1,853	151	
Kendall.....	164	293	3	152	303	1
Kenedy.....	67	1		67	1	
Kent.....	93	1		95	1	
Kerr.....	1,262	233	3	1,261	207	5
Kimble.....	240	16		240	12	
King.....	37			37		
Kinney.....	180	45	1	176	49	1
Kleberg.....	302	15		303	16	
Knox.....	708	33	1	713	27	1
Lamar.....	1,841	60	1	1,845	57	1
Lamb.....	311	20	6	309	20	4
Lampasas.....	592	53		592	45	
LaSalle.....	284	6		286	4	
Lavaca.....	1,030			1,547		
Lee.....	810	231	4	951	135	2
Leon.....	751	50	8	753	48	8
Liberty.....	597	70	1	603	58	3
Limestone.....	1,533	66	1	1,569	38	1
Lipscomb.....	524	232	9	520	232	8

\*No returns.

RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1926, FOR  
GOVERNOR AND LIEUTENANT GOVERNOR.

County	Governor			Lieutenant Governor		
	Dan Moody	H. H. Haines	M. A. Smith	Barry Miller	W. H. Holmes	L. L. Rhodes
Live Oak	392	23	3	387	21	4
Llano	799	38	1	819	21	1
Loving	†	†	†	†	†	†
Lubbock	1,060	61	3	1,060	57	3
Lynn	518	65	3	533	49	4
Madison	*	*	*	*	*	*
Marion	208	33		208	33	
Martin	219	14		221	11	
Mason	298	38		303	30	1
Matagorda	610	95	4	605	91	4
Maverick	308	58		300	57	
McCulloch	684	26	2	686	20	3
McLennan	2,545	237	5	2,581	204	6
McMullen	203	3		214	3	
Medina	765	404		821	337	
Menard	196	28		202	18	
Midland	164	3		164	3	
Milam	1,390	117	8	1,585	67	7
Mills	457	58		475	43	1
Mitchell	697	47		701	39	
Montague	779	94	6	797	76	7
Montgomery	637	41	1	645	35	2
Moore	*	*	*	*	*	*
Morris	517	12		519	13	
Motley	219	13	5	218	7	5
Nacogdoches	1,134	99	9	1,133	99	9
Navarro	2,608	158	2	2,633	122	3
Newton	312	15		314	16	
Nolan	750	88		768	77	
Nueces	1,413	161	2	1,408	132	
Ochiltree	164	10		156	11	
Oldham	102	5		99	5	
Orange	720	17		731	12	
Palo Pinto	1,070	51	5	1,177	42	5
Panola	541	117		546	7	
Parker	1,229	89	12	1,250	71	12
Parmer	*	*	*	*	*	*
Pecos	557	38	3	561	30	4
Polk	566	71		574	66	
Potter	505	86	2	412	181	1
Presidio	271	9	2	272	8	1
Rains	400	63	3	423	45	1
Randall	364	24		367	25	1
Reagan	266	9		278	4	
Real	265	65	3	262	64	3
Red River	1,319	60		1,337	48	
Reeves and Loving	272	30		275	25	
Refugio	339	187	10	411	171	12
Roberts	84	11		69	25	
Robertson	805	36		812	35	
Rockwall	591	6		582	6	
Runnels	1,275	84	3	1,296	68	3
Rusk	1,182	101		1,186	90	
Sabine	436	17	5	455	9	3
San Augustine	358	129	8	587	45	3
San Jacinto	*	*	*	*	*	*
San Patricio	648	93	1	644	77	1
San Saba	609	48		618	40	
Schleicher	124	8		124	8	
Scurry	566	20	1	568	18	
Shackelford	229	41		230	34	
Shelby	1,269	63	1	1,316	25	1
Sherman	91	12		89	11	1
Smith	2,279	289	1	2,331	253	1
Somervell	295	25		316	13	
Starr	*	*	*	*	*	*
Stephens	771	86	7	793	62	7
Sterling	150	4		151	4	
Stonewall	271	12	3	271	6	3
Sutton	105	4		106	3	
Swisher	509	47		509	48	
Tarrant	5,115	342	6	5,227	298	7
Taylor	1,562	78	2	1,568	67	1
Terrell	212	56	1	211	54	1

\*No returns.

†Reported with Reeves.

**RETURNS OF A GENERAL ELECTION HELD NOVEMBER 2, 1926, FOR  
GOVERNOR AND LIEUTENANT GOVERNOR.**

County	Governor			Lieutenant Governor		
	Dan Moody	H. H. Haines	M. A. Smith	Barry Miller	W. H. Holmes	L. L. Rhodes
Terry.....	303	27		308	19	
Throckmorton.....	309	3	1	283	3	1
Titus.....	581	75	2	601	55	2
Tom Green.....	1,204	50	4	1,210	43	3
Travis.....	4,008	226	6	4,014	178	5
Trinity.....	400	50	3	425	31	2
Tyler.....	377	11		379	8	
Upshur.....	1,003	274	3	1,145	139	4
Upton.....	83	1		80	1	
Uvalde.....	740	47		756	30	
Val Verde.....	344	70		340	58	
Van Zandt.....	1,648	314	15	1,727	354	15
Victoria.....	853	209	1	972	118	1
Walker.....	643	20		646	19	
Waller.....	377	26		390	18	
Ward.....	113	12	1	108	11	1
Washington.....	883	127	1	892	121	1
Webb.....	628	148		623	150	
Wharton.....	650	155	3	665	135	3
Wheeler.....	412	60		416	56	
Wichita.....	2,047	268	8	2,081	216	8
Wilbarger.....	574	16	1	580	10	
Willacy.....	523	66	7	517	67	6
Williamson.....	2,206	142	3	2,206	124	2
Wilson.....	915	463	4	1,086	292	3
Winkler.....	13	1		13		
Wise.....	1,251	71	1	1,256	57	1
Wood.....	1,230	107	5	1,241	91	4
Yoakum.....	95	2		105		
Young.....	528	37		521	36	2
Zapata.....	213	8		213	8	
Zavala.....	317	14		316	10	1
Total.....	233,068	31,531	908	236,097	27,316	702

Austin, Texas, January 17, 1927.

Hon. Barry Miller, President of the Senate, and Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sirs: We, your joint committee and tellers, appointed to canvass the votes cast at the last general election held in the State of Texas on November 2, 1926, for Governor and Lieutenant Governor of the State of Texas, beg leave to report that we have performed that duty, and the result of our canvass is as follows:

There were cast for Governor—

Dan Moody ..... 233,068 votes  
H. H. Haines..... 31,531 votes  
M. A. Smith..... 908 votes

There were cast for Lieutenant Governor—

Barry Miller ..... 236,097 votes  
W. H. Holmes..... 27,316 votes  
L. L. Rhodes..... 702 votes

No returns were presented to your committee from Castro, Crane, Dickens, Madison, Moore, Parmer, San Jacinto

and Starr counties. Loving county was included with Reeves county returns.

All of which is respectfully submitted.

PETSCH,  
PARRISH of Travis,  
STOUT,  
SHAVER,  
SATTERWHITE,  
On Part of the House.

WESTBROOK,  
WOOD,  
PRICE,  
LEWIS,  
WIRTZ,  
On Part of the Senate.

Whereupon, Hon. R. L. Bobbitt, Speaker of the House of Representatives, made the following announcement:

"Hon. Dan Moody having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Governor of the State for the ensuing term of two years; and Hon. Barry Miller having received the highest number of votes cast, I, by virtue of the authority vested in

me by the Constitution and laws of the State of Texas, declare him duly, legally and constitutionally elected Lieutenant Governor of the State of Texas for the ensuing term of two years."

The Speaker of the House then announced that the business of the joint session was concluded, and delivered the election returns used in counting the vote into the hands of Chief Clerk Carl Phinney, taking his receipt therefor and directing him to deliver the same in person to the Secretary of State, and to take the receipt of the Secretary of State for the documents.

#### SENATE RETIRES.

On motion of Senator Bailey, the Senate at 2:20 o'clock p. m. retired to the Senate Chamber.

#### DIRECTING ADJUTANT GENERAL TO TAKE CHARGE OF THE CAPITOL GROUNDS.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 5, Directing Adjutant General to take charge of Capitol grounds.

Whereas, It is necessary that the Capitol and Capitol grounds be properly policed for the protection of the crowds that will be present for the inauguration ceremonies and reception to take place on Tuesday, January 18, when Governor-elect Dan Moody will be sworn in as Governor of this State; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Adjutant General Dallas J. Matthews be requested, and he is hereby directed, to take charge of the Capitol and Capitol grounds at midnight tonight, and continue in charge until midnight tomorrow night. And he is further authorized to use whatever force that may be necessary to properly protect the safety and orderly manner of the crowds that may be present on these two occasions. Also, he is authorized to keep all character of traffic vehicle out of the Capitol grounds during the twenty-four hours time he will be in charge; and be it further

Resolved, That Adjutant General Dallas J. Matthews be requested, and he is hereby directed, to take full charge of all arrangements for the inauguration ceremonies and the inaugural reception.

Signed—Petsch, Satterwhite, Parrish, Shaver, Stout.

The resolution was read second time and was adopted.

#### TO PROVIDE FOR SERGEANT-AT-ARMS IN THE GALLERY.

Mr. Moore offered the following resolution:

Whereas, There is no one in the gallery with authority to preserve order; and

Whereas, It has always been the custom to keep a man there for that purpose; therefore, be it

Resolved, That the Speaker at once appoint two assistant Sergeants-at-Arms, whose duty it shall be to enforce the rules of the House in the gallery and keep order therein. The salary of said assistants to be \$5 per day.

Signed—Moore, Cox, Pearce, Black, Smith, Webb.

The resolution was read second time.

Mr. Sheats offered the following amendment to the resolution:

Amend the resolution by striking out "two (2)" and inserting "one (1)" in lieu thereof.

On motion of Mr. Poage, the amendment and the resolution were tabled.

#### REQUESTING ENFORCEMENT OF RULES.

Mr. Purl offered the following resolution:

Whereas, Rule XXVIII of the House provides that persons hereafter named, and none other, shall be admitted to the Hall of the House when the House is in session, viz: The members and employes of the House; Senators and employes of the Senate; the Governor and his private secretary; the Lieutenant Governor; the President and Vice President of the United States; United States Senators and members of Congress; Governors of other States; judges of the Supreme Court and Courts of Criminal and Civil Appeals; the heads of all State departments, and contestants in election cases, pending their contests in the House; and the immediate families of the members of the House of Representatives.

Provided, That no head of a State department shall be admitted to or permitted to remain in the Hall of the House of Representatives while the House of Representatives has under consideration any appropriation or revenue raising bill or resolution or any proposition concerning such department, its officers, or employes, or con-

cerning any subject under the control, jurisdiction or supervision of such department;

Whereas, In the past sessions of the Legislature, the House of Representatives and the Speakers have been very lenient in allowing this rule to be not enforced; and

Whereas, From all appearances, it would seem that the Fortieth Session of the Legislature will be a very heavy one, in which matters of importance to the people of Texas will be discussed; therefore be it

Resolved by the House of Representatives of the Fortieth Legislature, That we respectfully request our Speaker to rigidly enforce these rules and pledge ourselves to him; that we, as individual members, will not ask the Speaker to set aside these rules for our individual friends.

The resolution was read second time.

Mr. Fly moved to table the resolution.

Mr. Wallace of Freestone raised a point of order on further consideration of the resolution on the ground that it attempts to rescind a rule already adopted by the House.

The Speaker overruled the point of order.

On motion of Mr. Purl, by unanimous consent, the resolution was referred to the Committee on Rules.

(Mr. Kirby in the chair.)

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Lipscomb:

H. B. No. 144, A bill to be entitled "An Act providing that no life insurance company shall be required to invest, or keep invested, in Texas securities, any part of the aggregate amount of the legal reserve required by the laws of the State of its domicile to be maintained on account of its policies of insurance in force, written upon the lives of citizens of this State, and which reserve is denominated as its Texas reserve; and that the having made, or making of any such investment shall not be a condition of its receiving a certificate of authority to transact the business of life insurance in this State and of transacting such business thereunder, and that nothing in this act, or in any existing law, shall be construed to pre-

clude the issuance of a certificate of authority to any life insurance company to transact the business of life insurance in the State of Texas because of failure to comply with the laws of this State relating to occupation taxes or to require investments; nor shall this act be construed to remit, or preclude the collection of any taxes, heretofore and now due the State of Texas, from any life insurance company; and providing that any cause of action or actions which the State of Texas now has, or may have, against any life insurance company for taxes due the State, under any of the laws of this State, is expressly reserved to the State, together with all remedies to enforce the collection of the same; providing that any such taxes when paid shall be for the use and benefit of the public schools of this State, and the same is hereby appropriated for that purpose; one-fourth thereof to the available school fund, one-fourth to be equally divided among the University of Texas and its branches, one-fourth to be equally divided among the A. and M. College, College of Industrial Arts and Texas Technological College, and one-fourth to be equally divided among the State Teachers' College; providing further the condition upon which may now have accrued for the violation of any provisions of Chapter 4 of the Revised Texas Statutes of 1925, shall be enforced or collected; and providing that if any part of this act shall be adjudged invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remaining portions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. McGill:

H. B. No. 145, A bill to be entitled "An Act to increase and fix the salary of the Superintendent of Public Instruction of El Paso county, Texas; providing for office expenses; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Education.

By Mr. McGill:

H. B. No. 146, A bill to be entitled "An Act making it unlawful for any guest of a hotel or boarding house to remove or cause to be removed any baggage or other property from such hotel or boarding house, without the written consent of the hotel or boarding house-

keeper, or without paying his bill due such hotel or boarding housekeeper when there exists on such baggage or other property a lien as provided by Title 73, Article 4594, Revised Civil Statutes of Texas for 1925; and providing that such act is swindling; and providing a punishment therefor, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. McGill:

H. B. No. 147, A bill to be entitled "An Act to amend Article 2249 of the Revised Civil Statutes of Texas, 1925, adopted at the Regular Session of the Thirty-ninth Legislature, so as to repeal that portion of said article allowing an appeal to the Court of Civil Appeals from every order of any district or county court in civil cases, granting motions for new trials, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Stell (by request):

H. B. No. 148, A bill to be entitled "An Act amending 1925 Revised Civil Statutes and adding thereto Article 1132a, providing that unincorporated towns and villages shall be entitled to all the remedies, rights and privileges granted cities and towns, so far as the same relate to electric light and power companies, in Articles 1125, 1126, 1127, 1128, 1129, 1130, 1131 and 1132, 1925 Texas Revised Civil Statutes, upon the application of such towns and villages; providing that said Article 1132a shall be cumulative of said articles not in conflict herewith, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Stell (by request):

H. B. No. 149, A bill to be entitled "An Act requiring public utility corporations selling electric current, that maintain electric current carrying wires between two points not more than fifteen miles apart to furnish residents along said line electric current; defining how and when such electric current shall be furnished; providing a penalty for failure to so furnish, and declaring an emergency."

Referred to Committee on Commerce and Manufactures.

By Mr. Holland:

H. B. No. 150, A bill to be entitled "An Act to amend Article 1036, Title

15, Chapter 1, of Code of Criminal Procedure of the State of Texas of 1925, allowing witness fees and mileage in all out county felony cases in the sum of five cents per mile for each mile traveled going to and from the court or grand jury and two dollars per day for each day of service and such witnesses in all cases who attend in obedience to any process issued by any grand jury or any court in this State other than county of their residence."

Referred to Judiciary Committee.

By Mr. Pope:

H. B. No. 151, A bill to be entitled "An Act to require insurance companies, writing fire insurance protection, to maintain their home office or offices in Texas; to waive the requirements under certain conditions; providing insurance companies, writing fire protection, from charging against their Texas business any expense or expenses incurred outside the State of Texas; fixing a penalty or penalties for violations of the provisions of the act, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Pope:

H. B. No. 152, A bill to be entitled "An Act to discourage and, so far as may be possible, prevent fire waste in the State, and to prevent over-insurance of real property, or personal property, taking same rate, against loss by fire; to forbid insurance companies or their agents from granting insurance on real property or personal property, taking same rate, without first having inspected such property or properties and fixed a value thereon; fixing the basis of settlement in case of a total loss on real property or personal property taking same rate, amount to be paid in thirty (30) days after proof of loss, penalty for failure to pay claim within thirty (30) days; requiring insurance companies or their agents, as evidence of their having inspected real property or personal property taking same rate, to indicate such action by stamping in red letters upon each policy covering such properties a statement to that effect; defining what constitutes a 'total' loss on real property; defining what constitutes a 'total' loss on personal property; requiring insurance companies or their agents to obtain from owner or owners of personal property a list of the articles and the value of each; that said list be attached to the policy contract; the amount to be

paid in case of partial loss on real property or personal property taking same rate; fixing a penalty for violations of the provisions of the act; to repeal all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Denman:

H. B. No. 153, A bill to be entitled "An Act defining co-operative non-profit life benefit associations with representative form of government; providing the terms on which such associations may do business in this State; providing for the re-incorporation of such foreign associations; providing for the taxation, suits and service regulations and control of the business of such associations doing business in this State; and providing the conditions under which such associations may become legal reserve life insurance companies."

Referred to Committee on Insurance.

By Mr. Boggs and Mr. Faulk:

H. B. No. 154, A bill to be entitled "An Act to amend Article 800 of the Penal Code of the Revised Criminal Statutes of Texas for 1925, so as to provide that any person driving a motor vehicle, motorcycle or other vehicle when approaching the intersection of a public street or highway with the tracks of a steam railroad or interurban railroad where such street or highway crosses such track or tracks at a grade shall, before attempting to make the said crossing at some point not nearer than thirty feet of the said track, bring said vehicle to a complete stop, and allow to remain still for a period of not less than fifteen (15) seconds before making said crossing; making the violation of same a misdemeanor punishable by a fine not to exceed one hundred (\$100) dollars; and adding a new Article 800a; providing exceptions to Article 800, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Boggs:

H. B. No. 155, A bill to be entitled "An Act designed to quiet the title to real property in this State after adverse possession and the payment of taxes thereon for a period of twenty-two years, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Land:

H. B. No. 156, A bill to be entitled "An Act creating a more efficient road system for Motley county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid partly by the county and partly by the State or Federal government; authorizing the commissioners court of Motley county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Whitaker:

H. B. No. 157, A bill to be entitled "An Act creating a more efficient road system for Crosby county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Crosby county to issue bonds of said county for the purpose of funding or refunding indebtedness for road

and bridge purposes, and to levy a tax in payment thereof; and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Tillotson and Mr. Williamson:

H. B. No. 158. A bill to be entitled "An Act to authorize and empower county commissioners courts to control and regulate the use of county roads and highways, other than parts of the system of designated highways, and to protect such roads from damage by regulating the classes of vehicles and the loads carried thereon; permitted to use such county roads; providing such act shall not repeal any law but shall be cumulative of all similar statutes, and providing a penalty for the violation thereof."

Referred to Committee on Highways and Motor Traffic.

By Mr. Wallace of Freestone and Mr. Wallace of Panola:

H. B. No. 159. A bill to be entitled "An Act appropriating one and a half million dollars per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts; allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with conditions herein specified; providing certain prerequisites for the granting of such aid; providing for the maintenance of all rural schools which meet the requirements a minimum term of six months solely out of State and county school funds; providing aid for schools where extraordinary conditions prevent schools meeting all stated requirements; providing limited equipment for rural schools that will afford instruction and demonstration in home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a county-wide plan; providing for

the administration of this fund by the State Department of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Faulk:

H. B. No. 160. A bill to be entitled "An Act to amend Section 6, of Senate bill No. 3, Chapter 172, of General Laws as passed by Regular Session Thirty-ninth Legislature, being an act to change the dates on which open season on wild quail of all kinds, wild Mexican pheasants or chachalaca, shall begin and close."

Referred to Committee on Game and Fisheries.

By Mr. Fly and Mr. Tillotson:

H. B. No. 161. A bill to be entitled "An Act amending Article 879 of Chapter 6, of Title 13, of the Revised Criminal Statutes of Texas of 1925, which article provides for the regulation of the seasons in which wild game may be hunted and killed, and the seasons in which it is lawful to hunt and kill such wild game, including doves, quail, pheasant, turkey, rail, plover, ducks, prairie chickens, deer, bear and fox; and which amendment provides for seasons in which it shall be lawful to hunt and kill the wild game named, and in which the season for hunting and killing such wild game shall be closed; and providing for the addition at the end of said article to the proviso that there shall be no closed season for the hunting and killing of squirrels and that it shall be lawful to hunt and kill the wild red or fox squirrels and the wild gray squirrels in the counties of Gonzales, Austin and Real."

Referred to Committee on Game and Fisheries.

By Mr. McCombs:

H. B. No. 162. A bill to be entitled "An Act to amend Chapter 176 of the General Laws of the Thirty-eighth Legislature, so as to increase the salary of the judge of the county court of Dallas County at Law No. 1, and the salary of the court of Dallas County at Law No. 2, from thirty-six hundred dollars (\$3600) per annum to forty-eight hundred dollars (\$4800) per annum; prescribing the method of payment, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. McCombs, Mr. Wells, Mr. Albritton, Mr. Young, Mr. Durham and Mr. Storey (by request):

H. B. No. 163, A bill to be entitled "An Act authorizing the recording of marketing agreements of co-operative agricultural marketing associations and requiring that liens hereby attached to crops before delivery to the association and to the member's interest in the association after such delivery be collected through the association; defining the rights, duties and policies of lienholders and co-operative marketing associations; providing for the manner of filing and recording of marketing agreements executed by co-operative marketing associations and their respective members, and affidavits in connection therewith, in the office of the Register of Deeds in the various counties in the State of Texas; and providing for the effect of such filing and recording of such marketing agreements and affidavits; and providing for the establishment of liens on crops produced and delivered by members of co-operative marketing associations to such associations, and fixing of a lien in favor of lienholders on member's claim against associations after delivery of crop; providing for the filing and enforcing of crop liens."

Referred to Committee on Agriculture.

By Mr. Anderson:

H. B. No. 164, A bill to be entitled "An Act to amend Chapter 2, Article 3927, Revised Civil Statutes of the State of Texas, as to fees allowed district clerks."

Referred to Committee on Revenue and Taxation.

By Mr. Graves, Mr. Veatch and Mr. Avis:

H. B. No. 165, A bill to be entitled "An Act to amend Article 2691 of the Revised Civil Statutes of the State of Texas, providing for the organization and holding of county and district institutes for teachers; providing for the payment of said teachers while attending said county and district institutes, and declaring an emergency."

Referred to Committee on Education.

By Mr. Alexander:

H. B. No. 166, A bill to be entitled "An Act amending Section 18, of Chapter 75, of the General Laws of the Regular Session of the Thirty-eighth Legislature, same being being Article 6691, of the 1925 Revised Civil Statutes of

Texas, so as to read as follows: Section 1. Section 18, of Chapter 75, of the General Laws of the Regular Session of the Thirty-eighth Legislature, is hereby amended so as to hereafter read as follows: 'Section 18. It shall be the duty of county tax collector on Monday of each week to deposit in the county depository of his county to the credit of the road and bridge fund of that county all monies received from the horsepower tax collected from every vehicle registered in such county; this amount to be deducted from the gross registration fees collected during the preceding week, and to transmit the balance of such fees to the State Highway Department.'

Referred to Committee on Revenue and Taxation.

By Mr. Tillotson:

H. B. No. 167, A bill to be entitled "An Act to repeal Article 5519 of the Revised Civil Statutes of Texas, of 1925, and to amend Article 5518 of said Statutes, so as to limit the time within which a person under twenty-one (21) years of age, or in the military or naval service of the United States in time of war, or of unsound mind, or imprisoned, may institute suit for the recovery of real estate, and to add another article to be known as Article 5519, so as to provide that no person shall from and after the first day of June, 1928, maintain a suit for the recovery of lands, tenements and hereditaments against one who has had or held title hereto under a recorded muniment or muniments of title peaceably, and under an adverse claim of right for a period of twenty consecutive years; and providing this act shall not affect suits pending on the date when it shall become effective as a law; and defining the terms 'peaceable,' 'adverse,' 'muniments of title' and 'owner'; and to provide further, that the rights of the State of Texas shall not be barred, and that no person claiming under a forged deed or deeds executed under a forged power of attorney shall claim any benefits under this act and establish the burden of proof with reference thereto; and to provide for presumptions as to title recorded for twenty years; and to define who are trespassers; and creating presumptions relating thereto; and changing the burden of proof with reference thereto; and to provide that the unconstitutionality of one portion of this act shall not affect the remainder thereof; and repealing all laws and

parts of laws in conflict herewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. McCombs:

H. B. No. 168, A bill to be entitled "An Act to authorize the establishment of building lines on streets in cities which now have or may hereafter have five thousand or more inhabitants; and to provide the manner in which damages may be determined and paid and benefits assessed and collected."

Referred to Committee on Municipal and Private Corporations.

By Mr. Masterson:

H. B. No. 169, A bill to be entitled "An Act to amend Title 8, Article 199, Section 1, subdivision 23, page 96 of the Regular Session of the Thirty-ninth Legislature of the State of Texas, changing the time of holding of the terms of district court in the Twenty-third Judicial District of Texas, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Kittrell, Mr. Forbes, Mr. Sinks and Mr. Acker:

H. B. No. 170, A bill to be entitled "An Act to amend Articles 650 and 651, of the Code of Criminal Procedure, allowing defendants jointly indicted or defendants indicted for offenses growing out of the same transaction the right to apply for severance and ask for a separate trial; regulating the procedure under such application and leaving the action thereon to the sound discretion of the trial court."

Referred to Judiciary Committee.

By Mr. Brown (by request):

H. B. No. 171, A bill to be entitled "An Act providing for election of county school trustees for five years, etc."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 172, A bill to be entitled "An Act authorizing the creation of junior colleges under certain limitations."

Referred to Judiciary Committee.

By Mr. Brown (by request):

H. B. No. 173, A bill to be entitled "An Act providing for election of the State Superintendent of Public Instruction by the State Board of Education, and fixing his term of office at five years."

Referred to Judiciary Committee.

By Mr. Brown (by request):

H. B. No. 174, A bill to be entitled "An Act creating a State Board of Higher Education, etc."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 175, A bill to be entitled "An Act creating a State Board of Education, etc."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 176, A bill to be entitled "An Act fixing terms of regents of institutions of higher education at ten years, and prescribing their duties and functions."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 177, A bill to be entitled "An Act requiring each county to levy a county school tax in such sum as the State Board of Education shall require, not exceeding 50 cents on the \$100."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 178, A bill to be entitled "An Act providing that the schools of cities shall be independent of the municipal government; fixing the terms of the board of education in each such city at seven years, and the term of the superintendent at not exceeding five years."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 179, A bill to be entitled "An Act limiting the powers of trustees of common school districts to contract for the erection of school buildings and limiting them in the purchase of supplies."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 180, A bill to be entitled "An Act relating to contracts for teachers in common and small independent school districts."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 181, A bill to be entitled "An Act providing for the election of trustees of common school districts for a term of three years."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 182, A bill to be entitled "An Act providing that incorporated school districts having fewer than 500 scholastics shall be governed by the laws applying to common school districts."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 183, A bill to be entitled "An Act prescribing the powers and duties of the trustees of common and small independent school districts."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 184, A bill to be entitled "An Act providing for the election of trustees of independent school districts for terms of five years and prescribing their duties."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 185, A bill to be entitled "An Act providing a method and a basis for distributing State and county school funds."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 186, A bill to be entitled "An Act empowering county boards of school trustees to create, consolidate and revise school districts."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 187, A bill to be entitled "An Act authorizing the issuance and sale of anticipation warrants against 50 per centum of levied but uncollected school taxes in order to meet current expenses of the schools in cash."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 188, A bill to be entitled "An Act changing the name of the College of Industrial Arts to the Texas State College for Women."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 189, A bill to be entitled "An Act amending the free textbook law; providing for texts for non-English-speaking children and junior high schools."

Referred to Committee on Education.

By Mr. Brown (by request):

H. B. No. 190, A bill to be entitled

"An Act providing for the election of county superintendents by boards of county school trustees, fixing their terms at five years and prescribing their duties."

Referred to Committee on Education.

By Mr. Kittrell:

H. B. No. 191, A bill to be entitled "An Act to appropriate from the State Treasury a sufficient sum of money not otherwise appropriated to pay debts incurred by the Prison Commission of Texas, which debts are due certain citizens of Texas, and to declare an emergency."

Referred to Committee on Appropriations.

By Mr. Kittrell and Mr. Acker:

H. B. No. 192, A bill to be entitled "An Act to amend Articles 2158 and 2159 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, 1925, so as to make it within the discretion of the court whether to appoint an attorney or guardian ad litem where service may be made upon the defendant by publication, and where a minor, lunatic, idiot or non compos mentis is a defendant and has no attorney of record."

Referred to Judiciary Committee.

By Mr. Kittrell and Mr. Acker:

H. B. No. 193, A bill to be entitled "An Act providing that the statement of facts concerning any family history and showing who were the legal heirs of any deceased person when contained in either an affidavit or any instrument, when any such affidavit or instrument has been of record in the deed records of any county in the State of Texas for five years or more shall be received in any suit as prima facie evidence of the facts therein stated, but if there be any error in the statement of facts in such recorded affidavit or instrument, the true facts may be proven by anyone interested in the proceeding in which said affidavit or instrument is offered in evidence."

Referred to Judiciary Committee.

By Mr. Hagaman:

H. B. No. 194, A bill to be entitled "An Act to require operators of motor vehicles to obtain licenses as operators, specifying date when same shall take effect and providing for the qualification of licensees; providing that the State

Highway Commission shall administer the provisions of this act, furnish all forms, and adopt the necessary rules and regulations to make effective these provisions with the least expense and inconvenience to the public."

Referred to Committee on Public Health.

By Mr. Parrish of Travis (by request):

H. B. No. 195. A bill to be entitled "An Act relating to the practice of barbering and providing who shall practice barbering and who shall serve as an apprentice, and requiring the certificate of registration as a registered barber and as a registered apprentice; providing for qualifications a barber and an apprentice barber shall possess; providing who are exempt from provisions of this act, the standard of education and qualifications for certificates of registration."

Referred to Committee on Public Health.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time, and referred to the Committee on Constitutional Amendments:

By Mr. Pope:

H. J. R. No. 12, Proposing an amendment to the Constitution of the State of Texas by amending Section 11 of Article 4, investing the power of pardon concurrently in the Governor, the Chief Justice of the Supreme Court and the Attorney General.

By Mr. Anderson:

H. J. R. No. 13, Amending Article 16 of the Constitution of Texas by adding thereto a new section designated as Section 60, giving to the Legislature power and authority to publish or print or have published or printed all books furnished by the public schools of Texas, providing for submission to the voters of Texas, and making appropriation therefor.

By Mr. Brown (by request):

H. J. R. No. 14, Proposing ten amendments of the Constitution relating to public education: (1) Limiting terms of officers of school system to ten years; (2) providing for a State Board of Education; (3) providing for a State Board of Higher Education; (4) authorizing a county school tax not exceeding 50 cents;

(5) authorizing issuance of anticipation warrants; (6) providing for distribution of State school funds as the Legislature may prescribe; (7) providing for the equalization of taxation; (8) repealing prohibition of appropriations to University for building purposes; (9) providing for stabilization of the available school fund; (10) fixing the date at which terms of appointive officers shall begin.

#### RELATIVE TO THE SOUTHLAND MEMORIAL ASSOCIATION.

Mr. Boggs offered the following resolution:

Whereas, The Southland Memorial Association was organized on October 3rd, 1924, under the auspices of the United Confederate Veterans, the Sons of Confederate Veterans and the United Daughters of the Confederacy, to create a great Southland institution of learning in honor and in memory of the beloved "Women of the Confederacy," and elected J. M. Cochran, President; S. O. Moodie, First Vice President; R. H. Buck, Second Vice President; Mrs. Ella Stevens Watson, Third Vice President, and Lon A. Smith, Treasurer; and

Whereas, This Southland Memorial Association was organized to perpetuate the heroic deeds, sacrifices and unselfish loyalty of the "Women of the Confederacy," your mothers and my mother; and

Whereas, The United Confederate Veterans and the Sons and Daughters of Veterans of Texas, have actually endorsed and supported this worthy movement to create a "Southland Memorial Association" as a memorial to the "Women of the Confederacy," which movement has been three times endorsed by the United Confederate Veterans and Sons of Veterans, in general confederation assembled, and also by the United Daughters of the Confederacy; and

Whereas, The creation, maintenance and operation of a great Southland institution of learning, at some central point in some Southern State, under the auspices of the "Southland Memorial Association" would redound to the honor and glory of all States and individuals participating in its creation, and would be a recognition of the South's love, respect and gratitude to that noble Southern womanhood, who performed such a superficial service in behalf of their beloved Southland during the days of 1861 to 1865; and

Whereas, The example of loyalty and devoted patriotism of these women of

the Confederacy have thrilled their daughters and their sons and inspired them to a high sense of duty and patriotism to their State and to their government; therefore be it

Resolved by the House of Representatives of the State of Texas, now assembled, That in view of the above facts, and the further facts that these noble women and noble veterans of the Confederacy are fast passing away, going to their eternal home, that home not made with lands, that we send greetings to the officers of the Southland Memorial Association and wish them godspeed in their efforts; and be it further

Resolved, That the Secretary of the State of Texas be, and is hereby authorized to send a copy of this resolution, under the great seal of State, to each of the above named officers of the Southland Memorial Association.

Signed—Boggs, Acker.

The resolution was read second time and was adopted.

(Speaker in the chair.)

#### ADDITIONAL MEMBERS TO THE COMMITTEE ON EDUCATION.

On motion of Mr. Brown, the Speaker was authorized to add two members to the Committee on Education.

In compliance with the above motion the Speaker announced the following additional members to the Committee on Education:

Messrs. Snelgrove and Pearce.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 17, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 26, A bill to be entitled "An Act ratifying and confirming the sale under execution heretofore made of the Motley County Railway, its properties, rights and franchise, to G. E. Hamilton, trustee for the Quanah, Acme and Pacific Railway Company, and the authorizing the transfer and conveyance by such trustee of such Motley County Railway, its properties, rights and franchises, to the Quanah, Acme and Pacific Railway Company, and granting authority to the Quanah, Acme and Pacific Railway Company to acquire and own such railway, its prop-

erties, rights and franchises and to consolidate said Motley County Railway, its properties, rights and franchises with the Quanah, Acme and Pacific Railway and maintain and operate the consolidated properties as one line railway, under the name and style of Quanah, Acme and Pacific Railway Company; provided, such sale and transfer shall be made subject to all legal claims, debts, judgments, liens and other obligations now existing, or that may hereafter be filed or instituted against said Motley County Railway Company, or such trustee, and subject to pending suits or actions, or suits or actions that may be hereafter brought against said Motley County Railway Company, or such trustee, before the final consolidation of said railway has been effected, and declaring an emergency."

S. B. No. 31, A bill to be entitled "An Act to create the Bovina Independent School District, in Parmer county, Texas; including the present Bovina Common School District No. 5 of said county, and also including leagues 500, 498 and 507, in the Common School District No. 16 of said county; providing a board of trustees therefor; vesting said district and board of trustees with privileges; providing a board of trustees to have power to appoint a tax assessor and a collector and a board of equalization for said district; providing that the outstanding bonds shall remain chargeable against territory which voted same; and providing that the local tax assessment as heretofore existing in the Bovina Common School District No. 5 shall remain in force in the school district herein created; repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 51, A bill to be entitled "An Act authorizing Wichita Falls and Southern Railroad Company and Wichita Falls, Ranger and Fort Worth Railroad Company and their successors, lessees and assigns to use 3.6 cents per mile as the basic unit for the construction of all passenger fares for adults on and over their lines of railroad so long as such unit shall be used as the basic for passenger fares on the principal railroads of Texas, and declaring an emergency."

S. B. No. 53, A bill to be entitled "An Act to authorize Wichita Falls & Southern Railroad Company to acquire by purchase or by lease for a term of not exceeding ninety-nine years, with the

right of purchase at any time during said term, the railroads of Wichita Falls & Southern Railway Company and of Wichita Falls, Ranger & Fort Worth Railroad Company with the branches and extensions thereof, constructed or to be constructed, together with all properties, franchises and appurtenances pertaining thereto, and after said purchase or lease to own and operate or control and operate said lines of railroad, with the railroad now owned by it, as a single line of railroad and to complete or extend them or either of them as contemplated and provided in the respective charters of said companies, with

the right to make such other extensions and construct such branches as may hereafter be authorized by amendment of the charter of said Wichita Falls & Southern Railroad Company, and declaring an emergency."

Respectfully,

W. V. HOWERTON,  
Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Woodruff, the House, at 3:35 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

In Memory  
of  
Hon. R. B. Stevens

---

Mr. McGill offered the following resolution:

Whereas, On Thursday, January 13, 1927, at El Paso, Texas, the Hon. R. B. Stevens, a former member of this body was called by death.

Mr. Stevens was born May 26, 1857, at Beaver Dam, Kentucky. When he first came to Texas, he visited Fort Worth, where he remained only a short time, going from there to Weatherford, and after a brief stay, he located at Mineral Wells, where he lived for a number of years. He went to El Paso in April, 1889, where he had made his home for the last thirty-eight (38) years, being a pioneer resident of that city.

Mr. Stevens served the city of El Paso as alderman during the administration of Tom Lea as mayor. He was a member of the House during the Thirty-eighth and Thirty-ninth Legislatures. In all of his public service, Mr. Stevens demonstrated his ability as an honest and faithful servant. He was unalterably opposed to the extravagant expenditure of public funds, both as city alderman and as a member of the Appropriation Committee of the House. He was ever watchful and saw that no unmerited, extravagant appropriations were made.

He was especially fond of flowers and purchased a natural park about fifteen miles from Mineral Wells which he developed and beautified with flowers, and which stands as a monument to his name.

As a man of considerable means, he gave freely to charitable organizations for charitable purposes, but no one ever knew the extent of his gifts, as this was a matter about which he never spoke. Many of the pioneers of El Paso who have been practically supported by him during their declining years, without the general knowledge of the public, can testify that it may truthfully be said of him: "Full many a gem of purest ray serene, the dark unfathomed caves of ocean bear. Full many a flower is born to blush unseen and waste its sweetness on the desert air"; therefore, be it

Resolved by the House of Representatives, That we deplore the untimely death of Mr. Stevens and extend our heartfelt sympathy to his widow, relatives and numerous friends, and that a page of the House Journal be set aside today in memory of Mr. Stevens, and of his honest and faithful service, and that when the House adjourns today, it be in respect to him; and be it further

Resolved, That the Mailing Clerk, be and is hereby instructed, to send a copy of this resolution to Mrs. Stevens.

McGILL,  
SMITH of El Paso.

The resolution was read second time, and was adopted by a rising vote.